

The Hon Anoulack Chanthivong MP

Minister for Better Regulation and Fair Trading
Minister for Industry and Trade
Minister for Innovation, Science and Technology
Minister for Building
Minister for Corrections



Ms Sallie McLean

Acting Inspector of Custodial Services

Office of the Inspector of Custodial Services

By email: sallie.mclean@justice.nsw.gov.au

Dear Ms McLean,

STATEMENT OF EXPECTATIONS FOR THE INSPECTOR OF CUSTODIAL SERVICES

I am pleased to provide you with this Statement of Expectations (SoE) for the Inspector of Custodial Services (the Inspector). This SoE applies to the work of the Inspector related to adult correctional centres and services for the period from 1 August 2026 to 30 July 2028, or until otherwise amended.

As Minister for Corrections, I am responsible for administering the *Inspector of Custodial Services Act 2012* (the Act), which includes provisions that prescribe the objectives of the Act, that is to improve standards and the delivery of services in custodial centres so to advance better outcomes for inmates. The Act also outlines the functions and powers of the Inspector to meet those objectives.

A key output of the Inspector as prescribed by the Act is to provide reports to NSW Parliament on the work of the Inspector and any recommendations for changes in process and practice. When pertaining to adult correctional centres or services, these reports are to be provided to me prior to submitting to Parliament so that I may make submissions for the Inspector's consideration, although the Inspector is not bound to adopt my submissions. I may request that the Inspector report on any matter relating to its functions. This SoE should be read within the context of those provisions.

I note that the Act provides the Inspector powers and functions that are relevant to other portfolios, including Youth Justice, Health and Mental Health.

This letter describes my expectations in relation to the objectives, functions and role of the Inspector, as well as key performance indicators to ensure the ongoing effectiveness of the Inspector in providing independent expert advice on the standards and services in NSW adult custodial settings.

Providing independent expert advice and recommendations on adult correctional centres and services

The Inspector plays an integral role in upholding the integrity of the NSW correctional system and in holding Corrective Services NSW and other government sector agencies or management companies to account. This is achieved through detailed inspections of custodial centres, stakeholder engagement, research, and reporting of the Inspector's findings to NSW Parliament.

Objectives

I expect the Inspector to undertake its functions and roles in such a way that supports the integrity and effectiveness of oversight agencies. The approach taken should be based on the following objectives:

- Independent and objective decision-making and advice
- Openness and transparency regarding the operations of the Inspector
- Delivering robust and timely reports within the legislative framework

Functions of the Inspector

My expectations for the main functions of the Inspector are that it will:

- Conduct organised and thorough inspections of custodial centres, based on the statutory requirement to inspect NSW adult correctional facilities.
- Within this statutory requirement, I expect that the Inspector will prioritise the inspection of custodial centres that may be of most concern. The identification of such centres may be informed by the Inspector's network, including reports from Official Visitors and advice from the Commissioner for Corrective Services, media reporting, and prior inspections.
- Provide considered advice and recommendations in reports to NSW Parliament on critical, systemic or time-sensitive matters within custodial settings.
 - The Minister cannot direct the Inspector on the content of its reports. However, I encourage the Inspector to adopt the findings of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission (the Committee) in its 2024 Review of Annual and Other Reports of Oversighted Agencies that the Inspector's reports should highlight and explain serious or systemic issues uncovered during inspections.
- Provide its advice promptly, noting the fast-moving and fluid environment on which the Inspector reports requires contemporaneous or current advice to ensure that the recommendations of the Inspector remain relevant and are able to be responded to quickly.
- Coordinate with Corrective Services NSW and other agencies to monitor the implementation of critical recommendations and to provide for a transparent process, including the statutory requirement to evaluate the response of government sector agencies or management companies to the recommendations of the Inspector in the Annual Report.
 - I note the recommendation from the Committee that the Inspector provide more detailed information in its reports about how recommendations are being managed and implemented. I further note that the Inspector has begun to publish agency responses, including the status of implementation on the Inspector's website, and I support this initiative.

Key Performance Indicators

Based on consultation with the Committee and further to the key performance indicators (KPI) that Inspector reports on in its annual report, I have identified two KPIs to ensure timeliness and effectiveness of the Inspector's output and I would value these KPIs being included in the annual report.

- Timeframes: I expect that reports on inspections will be provided to agencies for review within 12 weeks of the final inspection taking place and provided to me for my submissions as prescribed by the Act within 18 weeks of the final inspection taking place. This timeframe

may be impacted by the scale or complexity of the inspection; however, 18 weeks should be considered best practice. Matters of critical importance should be advanced earlier.

- Engagement with key stakeholders: I expect that the Inspector will regularly meet with key stakeholders and government agency heads including the Commissioner of Corrective Services to ensure that Inspector is informed of any new developments related to custodial centres and that appropriate information is shared. I acknowledge that the Inspector currently outlines its engagements in the annual report.

I look forward to seeing the Inspector continuously working towards achieving best practice in the oversight of custodial settings for adults in NSW.

Sincerely,



12.8.16

The Hon. Anoulack Chanthivong MP

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